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DISTRICT COURT
N.D. OF N.Y.
FILED

May 17, 2010

MAY 28 2010

Hon. Randolph F. Treece, U.S. Magistrate Judge
James T. Foley U.S. Courthouse
445 Broadway - Room 314
Albany, NY 12207

LAWRENCE K. BAERMAN, Clerk
UTICA

RE: McKenna v. Himelwright, 8:10-cv-00199-DNH-RFT
LETTER MOTION TO DISMISS

Dear Judge Treece:

The parties to this case have settled all matters in controversy. As such, the Plaintiffs move the Court to dismiss this case and remove it from the docket.

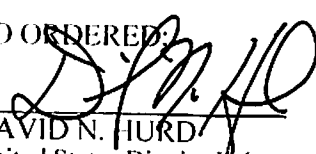
Thank you for your attention to this request. If your honor requires a more formal motion or other action in order to dismiss the matter, please let me know.

Very truly yours,

/s/ Daniel C. Cuppett
Daniel C. Cuppett, Esq.

/dec
Cc: Defense counsel via ECF
Ann McArdell via email

SO ORDERED:


DAVID N. HURD
United States District Judge
Dated: 5-27-10
Utica, NY